

Prepared by:
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**COVENANT BETWEEN THE OGLALA SIOUX TRIBE AND
THE CHEYENNE RIVER SIOUX TRIBE CONCERNING THE
CZYWCZYNSKI PROPERTY AT WOUNDED KNEE**

This Covenant Between the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe Concerning the Czywczynski Property at Wounded Knee (“Covenant”), dated October 21, 2022, is made and entered into by and between the **Oglala Sioux Tribe**, a Federally Recognized Indian Tribe, and the **Cheyenne River Sioux Tribe**, a Federally Recognized Indian Tribe.

WHEREAS, on October 21, 2022, the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe acquired the real property commonly known as the Czywczynski Property at Wounded Knee, which consists of forty (40) acres, more or less, at the site of the Wounded Knee massacre, and which is further described herein and in Exhibit “A,” attached hereto, and which is referred to in this Agreement as the “Property”; and

WHEREAS, the Oglala Sioux Tribe acquired and now holds a 51% undivided interest in the Property, and the Cheyenne River Sioux Tribe acquired and now holds a 49% undivided interest in the Property; and

WHEREAS, the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe agree that the Property should be held and maintained as a memorial and sacred site without commercial development; now

THEREFORE, in consideration of the mutual promises in this Covenant and other good and valuable consideration, the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe agree to the above recitals and enter into this Covenant to memorialize their agreement concerning the use of the Property.

Covenant Between the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe
Concerning the Czywczynski Property at Wounded Knee

COVENANT

1. Property.

The Property is described as “SW1/4NW1/4 of Section 36, Township 37 North, Range 43 West of the 6th Principal Meridian, Oglala Lakota County, South Dakota, on the Pine Ridge Indian Reservation,” and is as generally depicted in the document attached hereto as **Exhibit A** under the label “Czywczynski, James A.” The Property address is Rural County Road 4, Wounded Knee, SD 57794. The Property consists of 40 acres, more or less, and includes the surface and subsurface estate, and mineral estate, and any and all improvements, structures, and personal property on the Property, if any.

2. Covenant

THE OGLALA SIOUX TRIBE AND THE CHEYENNE RIVER SIOUX TRIBE HEREBY COVENANT AND AGREE THAT THE PROPERTY SHALL BE HELD AND MAINTAINED AS A MEMORIAL AND SACRED SITE WITHOUT COMMERCIAL DEVELOPMENT.

3. Governing Law

This Covenant shall be construed under and governed by the laws of the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe.

4. Counterparts

This Covenant may be executed in any number of counterparts, each of which will be deemed to be an original, and all of which together will constitute one instrument.

5. Recording

The Oglala Sioux Tribe and the Cheyenne River Sioux Tribe shall cause a copy of this Covenant to be recorded on the land records of Oglala Lakota County, South Dakota.

IN WITNESS WHEREOF, the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe hereby execute this Covenant as follows:

[The remainder of this page intentionally is left blank.]

Covenant Between the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe
Concerning the Czywczynski Property at Wounded Knee

CHEYENNE RIVER SIOUX TRIBE

Dated: 10/21/22

By: [Signature]
Name: Harold C. Frazier
Title: Chairman

STATE OF SOUTH DAKOTA)
) SS.
COUNTY OF DEWEY)

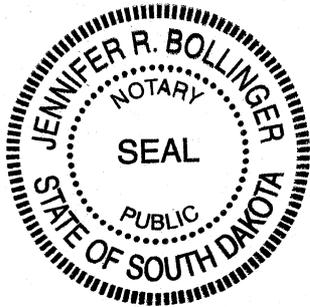
On this the 21st day of October, 2022, before me, the undersigned officer, personally appeared Harold C. Frazier, known to me or satisfactorily proven to be the person whose name is subscribed to the within and foregoing instrument and acknowledged that he executed the same for the purposes therein contained.

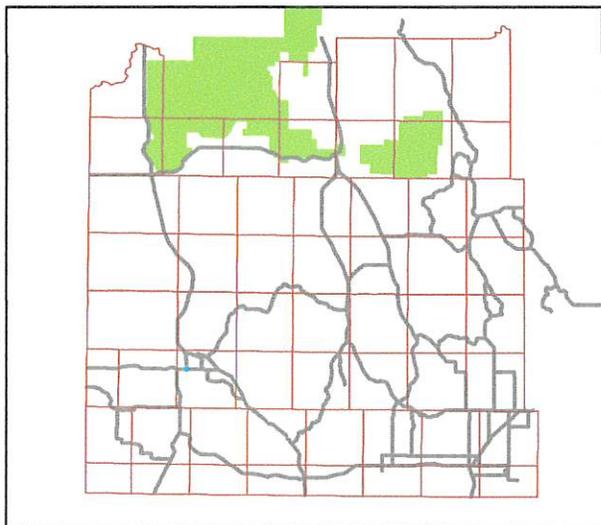
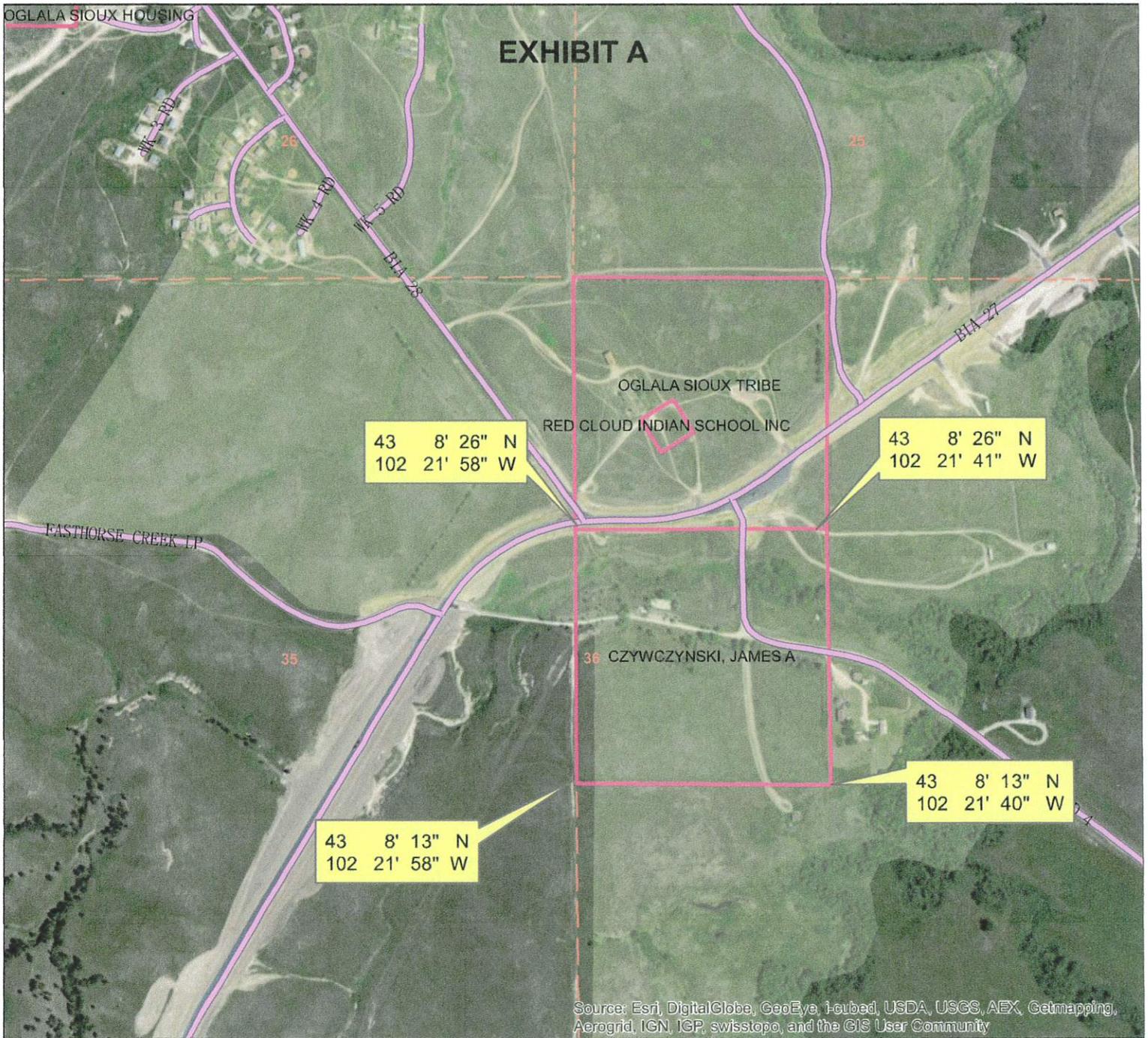
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Jennifer R. Bollinger
Notary Public

My Commission Expires: 12/11/26

(SEAL)





Reference: Resolution No. 22-168

Shannon County Landownership Map

-  Roads
-  Corporate Limits
-  Landowner
-  Sections
-  Badlands



This map is for general reference only. The user acknowledges and accepts the limitations of this data, including the fact that the data is in a constant state of change, correction, and maintenance. This map does not represent a legal survey of the land. This map should not be used for legal proceedings or land purchase. Fall River County takes no responsibilities for any inaccuracies.

Approved: OSTC 10-12-22